

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

RICHARD C. KNIGHT,

Plaintiff,

vs.

Case No. 08-4154-RDR

GTECH CORPORATION,

Defendant.

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**MEMORANDUM AND ORDER**

Plaintiff has filed a pro se complaint alleging that defendant discriminated against him on the basis of age because defendant would not consider plaintiff for employment from 1988 to the current time. Defendant has filed a motion for summary judgment supported by deposition transcripts and affidavits. Plaintiff has filed a one-paragraph objection which generally reasserts his education and experience and further states that he is older than the persons who have interviewed him.

Pursuant to Hall v. Bellmon, 935 F.2d 1106, 1111 (10<sup>th</sup> Cir. 1991), the court shall direct plaintiff's attention to Local Rule 56.1 which indicates the format for motions for summary judgment and a memorandum in opposition to a summary judgment motion. The court specifically calls attention to the sentence that: "All material facts set forth in the statement of the movant shall be deemed admitted for the purpose of summary judgment unless specifically controverted by the statement of the opposing party."

A failure by plaintiff to specifically oppose the facts asserted by defendant in the motion for summary judgment and to support such opposition with affidavits or other evidentiary material, may result in the court granting the summary judgment motion.

With this in mind, the court shall grant plaintiff time until November 19, 2009 to file any additional response to defendant's motion for summary judgment. A copy of FED.R.CIV.P. 56 and Local Rule 56.1 shall be appended to this order.

**IT IS SO ORDERED.**

Dated this 19<sup>th</sup> day of October, 2009 at Topeka, Kansas.

s/Richard D. Rogers  
United States District Judge